

1 CHRISTOPHER S. MISHLER, ESQ. (14402)  
2 BROWN MISHLER, PLLC  
3 911 N. Buffalo Dr., Ste. 202  
4 Las Vegas, Nevada 89104  
5 Tel: (702) 816-2200  
6 Email: [CMishler@BrownMishler.com](mailto:CMishler@BrownMishler.com)  
7 Attorney for Defendant  
8 Robert Ponce

9  
10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,  
13 Plaintiff,  
14 vs.  
15 ROBERT PONCE, Jr.,  
16 Defendant.

2:16-cr-00368-APG-PAL

17  
18 STIPULATION TO CONTINUE  
19 HEARING ON REVOCATION OF  
20 PRETRIAL RELEASE

21 (First Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between  
23 Nicholas A. Trutanich, United States Attorney, and Daniel Cowhig, Assistant  
24 United States Attorney, counsel for the United States of America, and  
25 Christopher S. Mishler, counsel for defendant Robert Ponce that the hearing  
26 on revocation of Mr. Ponce's pre-trial release currently scheduled for  
27 February 3, 2021, at the hour of 4:00 p.m. be vacated and continued at  
28 least 20 days to a date and time that is convenient for this Honorable Court.

The Stipulation is entered into for the following reasons:

1. The defense and the government require additional time to finalize settlement discussions and to memorialize the same.

2. This continuance is not sought for purposes of delay, but to allow time for negotiations and potential resolution.

3. Defendant Ponce is in custody and does not object to this continuance.

4. Denial of this request could result in a miscarriage of justice, taking into account the exercise of due diligence.

5. The defendant waives any right he might assert under 18 U.S.C. § 3142(d) to appear before this Court within 10 days of his initial appearance in this District

6. This is the first request for a continuance filed in this matter.

DATED January 29, 2021

NICHOLAS A. TRUTANICH  
United States Attorney

/s/ *Daniel Cowhig*

By \_\_\_\_\_  
**DANIEL COWHIG**  
Assistant United States Attorney

BROWN MISHLER, PLLC

By \_\_\_\_\_  
CHRISTOPHER S. MISHLER  
Counsel for Robert Ponce

1 BROWN MISHLER, PLLC  
2 911 N. Buffalo Dr., Ste. 202  
3 Las Vegas, Nevada 89104  
4 Tel: (702) 816-2200  
5 Email: [CMishler@BrownMishler.com](mailto:CMishler@BrownMishler.com)  
6 Attorney for Defendant  
7 Robert Ponce

8  
9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 ROBERT PONCE, Jr.,  
15 Defendant.

2:16-cr-00368-APG-PAL

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND  
ORDER CONTINUING  
REVOCATION HEARING ON  
VIOLATION OF CONDITIONS  
OF PRETRIAL RELEASE**

16  
17 Based on the pending stipulation of counsel, and good cause appearing  
18 therefore, the Court finds as follows:

19  
20 **FINDINGS OF FACT**

- 21 1. The Hearing in this matter is currently set for February 3, 2021.  
22  
23 2. The defense and the government require additional time to  
24 finalize settlement discussions and to memorialize the same.  
25  
26 3. This continuance is not sought for purposes of delay, but to allow  
27 for time for negotiations and potential resolution.  
28

1       4. Defendant Ponce is in custody and does not object to this  
2 continuance.

3       5. Denial of this request could result in a miscarriage of justice,  
4 taking into account the exercise of due diligence.

5       6. The defendant has waived any right he might assert under 18  
6 U.S.C. § 3142(d) to appear before this Court within 10 days of his initial  
7 appearance in this District.

8       7. This is the first request for a continuance filed in this matter.

9

### 10                   **CONCLUSIONS OF LAW**

11

12       The ends of justice served by granting said continuance outweigh the  
13 best interest of the public and the defendant in a speedy trial, since the  
14 failure to grant said continuance would be likely to result in a miscarriage of  
15 justice, would deny the parties herein sufficient time and the opportunity  
16 within which to be able to effectively and thoroughly prepare for this hearing,  
17 taking into account the exercise of due diligence.

18

### 19                   **ORDER**

20

21       IT IS ORDERED that the hearing currently scheduled for February 3,  
22 2021 at the hour of 4:00 p.m., be vacated and continued to March 3, 2021 at  
23 the hour of 4:00 p.m. in LV Courtroom 6C.

24

25       Dated: January 29, 2021

26

27                     
28                   

---

UNITED STATES DISTRICT JUDGE